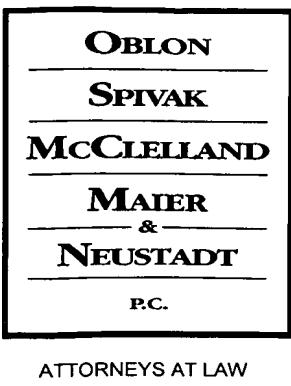




Docket No.: 198561US2

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



RE: Application Serial No.: 09/689,807

Applicants: Takahiro WATANABE, et al.

Filing Date: October 13, 2000

For: LENS SHAPE DATA PROCESSING APPARATUS  
AND LENS GRINDING MACHINE HAVING THE  
SAME APPARATUS

Group Art Unit: 3723

Examiner: GRANT, A.

SIR:

Attached hereto for filing are the following papers:

TERMINAL DISCLAIMER  
REQUEST FOR RECONSIDERATION

Our check in the amount of \$110.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
\_\_\_\_\_  
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Philip J. Hoffmann  
Registration No. 46,340

Docket No. 198561US2



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Takahiro WATANABE, et al.

SERIAL NO: 09/689,807

GAU: 3723

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EXAMINER: GRANT, A.

FOR: LENS SHAPE DATA PROCESSING APPARATUS AND LENS GRINDING MACHINE HAVING THE SAME APPARATUS

**TERMINAL DISCLAIMER**

**RECEIVED**

MAR 22 2004

TECHNOLOGY CENTER R3700

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

Kabushiki Kaisha Topcon is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, said Assignment having been recorded in the U.S. Patent and Trademark Office at reel no. 011451, frame(s) 0885.

Kabushiki Kaisha Topcon hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent Nos. 5,775,973 and 5,959,199, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent Nos. 5,775,973 and 5,959,199, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Kabushiki Kaisha Topcon does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent Nos. 5,775,973 and 5,959,199 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

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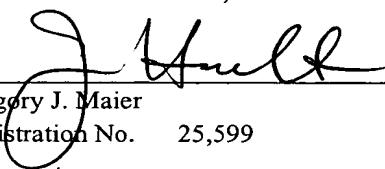
Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

3-19-04

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